

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DARREN WITHERSPOON, :  
a/k/a DARREN KIRKLAND, :  
Plaintiff, : Civil Action No. 06-28 (RBK)  
v. :  
TROOPER C. SCOTT, :  
Badge #6119, et al., :  
Defendants. :  
**ORDER**

For the reasons expressed in the Court's Opinion filed herewith,

It is on this 19<sup>th</sup> day of May, 2006,

ORDERED that, pursuant to 28 U.S.C. § 1915(a) and (b), plaintiff's application to proceed in forma pauperis is hereby granted; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b), the Clerk shall serve a copy of this Order by regular mail on the Attorney General for the State of New Jersey and on the Warden of the Camden County State Correctional Facility; and it is further

ORDERED that plaintiff is assessed a filing fee of \$250.00 which shall be deducted from his prison account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$250.00 fee is paid, each month that the amount in plaintiff's prison account exceeds \$10.00, the agency having custody of

plaintiff shall assess, deduct from his account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to plaintiff's prison account, with each payment referencing the civil docket number of this action; and it is further

ORDERED that Complaint is DISMISSED in its entirety, without prejudice, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1).

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s/Robert B. Kugler

ROBERT B. KUGLER

United States District Judge